

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 11, 2007****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SUP-24243 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GONZALO AUSQUI - OWNER: ECT HOLDING, LLC - Request for a Special Use Permit TO ALLOW FOR BEER/WINE/COOLER OFF-SALE AT A PROPOSED GENERAL RETAIL STORE WITH A WAIVER TO ALLOW A DISTANCE SEPARATION FROM A CITY PARK OF APPROXIMATELY 150 FEET WHERE 400 FEET IS REQUIRED at the southeast corner of Charleston Boulevard and Maryland Parkway (APN 162-02-110-014), C-2 (General Commercial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 11/07/2007**IF DENIED, P.C.: FINAL ACTION (Unless appealed within 10 days)****PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****10****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****2****City Council Meeting****0****RECOMMENDATION:****DENIAL****BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest postcard
7. Submitted after final agenda – Protest/support postcards

Motion made by DAVID STEINMAN to Hold in Abeyance to 10/25/2007

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

STEVEN EVANS, SAM DUNNAM, LEO DAVENPORT, BYRON GOYNES, DAVID STEINMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-GLENN TROWBRIDGE, RICHARD TRUESDELL)

Minutes:

Seeing no one representing the application, CHAIRMAN DAVENPORT asked whether the applicant's attendance was required. ASSISTANT CITY ATTORNEY BRYAN SCOTT clarified that being a Special Use Permit, the applicant needed to be present to accept the

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conditions. DOUG RANKIN, Planning and Development Department, stated staff would contact the applicant.

At the request of COMMISSIONER EVANS, CHAIRMAN DAVENPORT allowed comments from a citizen. MR. SCOTT added that all remarks would need to be incorporated into the minutes for the item's hearing.

SHAWN GUYDEL, 1200 Franklin Avenue, expressed his concerns about the subject application. He felt it inappropriate to allow the variance because of the proximity to the park and most importantly because it adjoins the Huntridge Theatre.

